

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
4:20-CR-00266-DGK-1

Earl B. Penn,

Defendant.

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGE: Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2)

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Brandon Gibson

Case Agent:

Defense: Lesley Smith

OUTSTANDING MOTIONS: None presently.

TRIAL WITNESSES:

Government: 4 with stipulations; 5 without stipulations

Defendants: 5 witnesses, including the defendant who may testify.

TRIAL EXHIBITS:

Government: 5 exhibits

Defendant: 5 exhibits for defendant

DEFENSES: General denial

POSSIBLE DISPOSITION:

() Definitely for trial; () Possibly for trial; (X) Likely a plea will be worked out

TRIAL TIME: 2 days

Government's case including jury selection: 1 day

Defense case: 1 day

STIPULATIONS: Possibly 1 stipulation from the Government.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: April 19, 2021

Defense: April 19, 2021

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, 4/28/2021

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: April 19, 2021

TRIAL SETTING: Criminal jury trial docket commencing 5/3/2021

Please note:

Government counsel may also be trying U.S. v. Shields, 4:20-cr-010-HFS-1. The trial, if it occurs, is expected to last two days.

Defense counsel may also be trying U.S. v. Luncford, 4:20-cr-233-RK-1, though a plea in that case is likely.

Defense counsel is expecting to try U.S. v. Madden, 4:20-cr-121-BCW-1, and the parties have or will be requesting a setting during the second week of the trial docket due to a scheduling conflict for Government counsel in that case.

No interpreter or assistive devices needed.

IT IS SO ORDERED.

/s/ Jill A. Morris

JILL A. MORRIS

United States Magistrate Judge

Kansas City, Missouri

4/7/2021